



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

June 17, 1994

Thomas Nisbet
Angford Ranch
Ellensburg WA 98926

Re: Emergency Drought Authorization under Application No. G4-31996

In accordance with the provisions of RCW 43.83B.405, on May 12, 1994, it was ordered and determined by the Director of the Department of Ecology that the Yakima River basin is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Washington State Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. This authorization is conditioned by the following provisions and limitations:

1. The initiation date of this EMERGENCY PERMIT is June 2, 1994.

This EMERGENCY PERMIT will terminate on or before December 1, 1994, unless sooner revoked by the Director of the Department of Ecology. **THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE FACILITY HEREIN AUTHORIZED.**

2. This authorization is for a single well located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M.
3. The following well construction requirements must be satisfied before water use as described below can be started:

The casing shall be set or placed (not driven) twenty (20) feet into the first solid, unfractured, nonporous, nonvesicular basalt flow. The well annulus shall be pressure grouted utilizing cement grout as a sealing agent from the bottom of the casing to land surface and the annulus shall be at least four (4) inches greater in diameter than the permanent casing. Due to the limited number of wells in the immediate area it is not known at what depth the basalt will be encountered. For the applicant's information, Urban Eberhart had a well drilled approximately 2 miles to the East and encountered basalt at a depth of 655 feet. In 1981 Zirkle



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Fruit Company had a well drilled approximately 1½ miles to the West which encountered fractured basalt at 14 feet, however competent, unfractured basalt was not encountered until a depth of 286 feet.

For the purpose of making water level measurements, installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage are also required when the well has a static water level greater than 100 feet below land surface. The air line shall be constructed of 1/4 inch minimum diameter galvanized steel pipe, or comparable material if pre-approved by the department. The air line shall be equipped with a standard tire (Schrader) valve. Distance from land surface to the bottom end of the air line shall be clearly posted at the well site, accurate to 0.5 feet or less. The air line, access port, and all well equipment shall be installed and maintained to provide access for measurement of water levels.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

4. A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 1994 irrigation season.

5. The quantity of water to be withdrawn is limited to 2250 gallons per minute (gpm) and 240 acre-feet per year. This is based upon the instantaneous quantity of 7½ gpm per acre and an annual quantity of 0.8 acre-feet per acre.
6. Under this permit, water is to be used for supplemental irrigation of 300 acres from May 15 to December 1, 1994. The place of use is described as follows:

That portion of the SE¼NW¼ which is described as follows: A tract of land bounded by a line beginning at the SE corner of said quarter of quarter section, and running thence N along the E boundary line of said quarter of quarter section, to a point which is 2431.5 feet S of the N¼ corner of said section; thence W 330.5 feet; thence N to the S boundary line of the right of way of the canal of

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the Cascade Irrigation District; thence Northwesterly along said S boundary line of said right of way, to the intersection thereof with the W boundary line of said quarter of quarter section; thence S along the W boundary line of said quarter of quarter section, to the SW corner thereof; thence E along the S boundary line of said quarter of quarter section, to the point of beginning; AND,

That portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ which described as follows: A tract of land bounded by a line beginning at the SE corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said section, and running thence W along the S boundary line of said quarter of quarter section, to the Easterly boundary line of the right of way of the canal of the Cascade Irrigation District; thence Northeasterly along said boundary line of said right of way, to the E boundary line of said quarter of quarter section; and thence S along said boundary line to the point of beginning; ALL in Section 33, T. 17 N., R. 19 E.W.M., Kittitas County, State of Washington.

The S $\frac{1}{2}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M. and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said section, EXCEPT: 1) Commencing at a stone monument at the SW corner of said section and running thence N 1°37' W along the W boundary of said section to the E and W center line of said section; thence E along said E and W center line 1095 feet, more or less, to the W right of way line of the Cascade Irrigation District; thence Southeasterly along said right of way line 484 feet and 5 inches, more or less, to an iron pipe; thence S 13°44' E 270 feet; thence S 3°31' W 612 feet; thence S 33°41' W 295 feet; thence S 2°44' E 230 feet; thence S 10°10' W 455 feet; thence S 18°59' E 300 feet; thence S 4°58' E 173 feet, more or less, to the S boundary of said Section 33; thence S 89°30' W along said S boundary 1042 feet, more or less, to the place of beginning; 2) That portion of said land acquired by the State of Washington by Judgment and Decree of Appropriation entered October 7, 1969, in Kittitas County Superior Court Cause No. 17298; 3) Right of way for Dodge and Perry County Road.

All that portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M. lying above the right of way of the Cascade Irrigation District, and also that portion of the W $\frac{1}{2}$ W $\frac{1}{2}$ of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section lying below the right of way of the Cascade Irrigation District. EXCEPT right of way for Dodge and Perry County Road.

7. The irrigation water herein authorized to be withdrawn is supplemental to water made available under primary rights by the Kittitas Reclamation District. The only water herein permitted for withdrawal is water necessary to alleviate hardships and reduce burdens on water users arising from drought conditions. This amount shall not exceed 0.8 acre-feet per year per acre.


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8. Withdrawal of water under this right may be limited or otherwise regulated in favor of senior rights.
9. Construction of the well under this permit must begin by October 1, 1994. No new well construction shall be allowed after this date. Construction of the well shall be completed no later than October 15, 1994.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,


Doug Clausen, Section Manager
Water Resources Program
DC:ska
940618.wr4

Enclosures: Flow Measurement Record
Flow Meter Requirements
Ground Water Bulletin No. 1

cc: Yakama Indian Nation
Dale Bambrick
Wendell Hannigan